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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 JAMES J. LEWIS,

8 Petitioner,

Case No. C11-671-RSM

9 v.

ORDER OF DISMISSAL

10 STEVE SINCLAIR,

11 Respondent.

12 The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas
13 corpus, respondent's answer, petitioner's response, the Report and Recommendation of the
14 Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that,
15 and the remaining record, finds and orders as follows:

- 16 1. Petitioner's motion to amend his objections (Dkt. #35) is **GRANTED**;
17 2. The Report and Recommendation is **ADOPTED**;
18 3. Petitioner's § 2254 habeas petition is **DENIED** and this matter is **DISMISSED**
19 with prejudice;
20 4. Petitioner is **DENIED** issuance of a certificate of appealability; and
21 5. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

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1 DATED this 3rd day of November 2011.

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4 RICARDO S. MARTINEZ
5 UNITED STATES DISTRICT JUDGE
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